

CONGRESSIONAL RECORD SUMMARY

Tuesday, May 22, 2001

SENATE

Measures Introduced:

_____ **S. 924.** A bill to provide *reliable officers, technology*, education, community prosecutors, and training in our neighborhoods; to the Committee on the Judiciary.

_____ Biden

Pages S 5438, S 5441-4

_____ **S. 925.** *A bill to amend the title XVIII of the Social Security Act to provide a prescription benefit program for all medicare beneficiaries; to the Committee on Finance.*

_____ Wellstone

Pages S 5438, S 5444-55

_____ **S. 926.** A bill to prohibit the importation of any article that is produced, manufactured, or grown in Burma; to the Committee on Environment and Public Works.

_____ Harkin

Pages S 5438, S 5444-58

_____ **S. 927.** A bill to amend title 23, United States Code, to provide for a prohibition on use of mobile telephones while operating a motor vehicle; to the Committee on Environment and Public Works.

_____ Corzine

Pages S 5438, S 5458

_____ **S. 928.** *A bill to amend the Age Discrimination in Employment Act of 1967* to require, as a condition of receipt or use of Federal financial assistance, that States waive immunity to suit for certain violations of that Act, and to affirm the availability of certain suits for injunctive relief to ensure compliance with that Act; to the Committee on Health, Education, Labor, and Pensions.

_____ Jeffords

Pages S 5438, S 5458-60, S 5458

Tax Relief Reconciliation:

Senate continued consideration of **H.R. 1836**, to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002.

Pages S 5405-28, D 489

Nomination Received:

Lavenski R. Smith, of Arkansas, to be **United States Circuit Judge** for the Eighth Circuit, vice Richard S. Arnold, retired.

Pages S 5488, D 492

Committee Meeting:

Committee on Governmental Affairs: Committee concluded hearings on the nomination of *Erik Patrick Christian* and *Maurice A. Ross*, each to be an *Associate Judge of the Superior Court of the District of Columbia*.

Page D 493

Committee Meetings for Wednesday, May 23, 2001:

Committee on Governmental Affairs: @ 9:30 a.m. Business meeting to consider the nomination of *John D. Graham*, of Massachusetts, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget; the nomination of *Stephen A. Perry*, of Ohio, to be Administrator of General Services; and the nomination of *Erik Patrick Christian*, and *Maurice A. Ross*, both of the District of Columbia, each to be an *Associate Judge of the Superior Court of the District of Columbia*, SD-342.

Page D 496

Committee on the Judiciary: @ 10:00 a.m. To hold hearings on the nomination of *Deborah L. Cook*, of Ohio, and the nomination of *Jeffrey S. Sutton*, of Ohio, each to be a *United States Circuit Judge for the Sixth Circuit*, the nomination of *John G. Roberts, Jr.*, of Maryland, to be *United States Circuit Judge for the District of Columbia Circuit*, and the nomination of *Ralph F. Boyd, Jr.*, of Massachusetts, and the nomination of *Robert D. McCallum, Jr.*, of Georgia, each to be an *Assistant Attorney General*, both of the *Department of Justice*, SD-226.

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HOUSE

Bill Introduced:

H.R. 1939. *A bill to amend chapter 84 of title 5, United States Code, to allow individuals who return to Government service after receiving a refund of retirement contributions to recapture credit for the service covered by that refund by repaying the amount that was so received, with interest; to the Committee on Government Reform.*

Moran

Page H 2570

Suspension:

The House agreed to suspend the rules and pass the following measure:

Small Business Liability Protection Act: H.R. 1831, to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (agreed to by a yea-and-nay vote of 419 yeas with none voting “nay,” Roll No. 134). The House debated the motion to suspend the rules and pass the bill on Monday, May 20.

Pages H 2542-3, D 493

H.R. 1. Leave No Child Behind Act:

The House continued consideration of H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind. The House began consideration of the bill on May.

Pages H 2396-H 2542, D 493

Agreed To:

Boehner amendment No. 1 printed in House Report 107-69 that makes various technical and clarifying changes;

Pages H 2516-19, D 493

H.R. 1. Leave No Child Behind Act (Cont'd.):

See Page H 2486: SEC 4142. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.

(2) Court action.--If a State or local educational agency is dissatisfied with the Secretary's final action after a proceeding under paragraph (1), such agency may, not later than 60 days after notice of such action, **file with the United States court of appeals** for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based this action, **as provided in section 2112 of title 28, United States Code...**

(4) Court review.--Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set such action aside, in whole or in part. The judgment of the court shall be subject to review by the **Supreme Court of the United States** upon certiorari or certification **as provided in section 1254 of title 28, United States Code...**

Dunn amendment No. 3 printed in House Report 107-69 that makes additional funding available to hire school resource officers for safety purposes (agreed to by a recorded vote of 420 yeas to 3 nays, Roll No. 131);

Pages H 2524-5, H2 532-3, D 494

H. Res. 143, the rule that is providing for consideration of the bill was agreed to on May 10.

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Committee Meetings:

Committee on the Judiciary: Held a hearing on the following bills: **H.R. 1698**, American Broadband Competition Act of 2001; and **H.R. 1697**, Broadband Competition and Incentives Act of 2001.

Committee on the Judiciary: Subcommittee on Courts, the Internet and Intellectual Property approved for full Committee action the following bills: **H.R. 1866**, amended, to extend title 35, United States Code, to clarify the basis for granting requests for reexamination of patents; and **H.R. 1886**, to amend title 35, United States Code, **to provide for appeals by third parties** in certain patent reexamination proceedings.

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Committee on Ways and Means: Subcommittee on Social Security held a hearing on protecting privacy and preventing the misuse of Social Security numbers.

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Committee Meetings For Wednesday, May 23, 2001:

Committee on Appropriations, @ 1:30 p.m. Subcommittee on District of Columbia, on Fiscal Year 2002 D.C. Budget. 2362 Rayburn.

Committee on Energy and Commerce, @ 10:00 a.m. Subcommittee on Commerce, Trade, and Consumer Protection, hearing on "On-line Fraud and Crime: Are Consumers Safe?" 2123 Rayburn.

Committee on Energy and Commerce, @ 10:00 a.m. Subcommittee on Oversight and Investigations, hearing on "How Secure Is Private Medical Information? A Review of Computer Security at the Health Care Financing Administration and Its Medicare Contractors." 2322 Rayburn.

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Committee Meetings For Wednesday, May 23, 2001 (Cont'd.):

Committee on Government Reform, @ 10:00 a.m. Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing on Effective Faith-Based Drug Treatment Programs. 2154 Rayburn.

Committee on the Judiciary, @ 10:00 a.m. To mark up the following bills: **H.R. 169, *Notification and Federal Employee Antidiscrimination and Retaliation Act of 2001***; and **H.R. 718, Unsolicited Commercial Electronic Mail Act of 2001.** 2141 Rayburn.

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Remarks:

Recognizing Federal Government Employees.

Bonior

Page H 2547

FERS Redeposit Act. (H.R. 1939)

"...Reports indicate that about 30 percent of the government's 1.6 million full-time employees will be eligible to retire within five years, and an additional 20 percent could seek early retirement. Furthermore, 65 percent of the Senior Executive Service will be eligible for retirement by 2004. [] The FERS Redeposit Act would allow individuals who left the federal government and received a refund of their Federal Employees Retirement System (FERS) contributions to reenter government service without losing their accrued annuity..."

Moran

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Next SENATE MEETING: Wednesday, 9:30 a.m., May 23, 2001.

Next HOUSE MEETING: Wednesday, 10:00 a.m., May 23, 2001.

OLA: S. Schwarz (Smith), J. Homanich